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UNCLAS SECTION 01 OF 03 TAIPEI 003340

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SUBJECT: ANATOMY OF A TAIWANESE LY ELECTION

REF: TAIPEI 02662

1. (U) Summary: Individual and party strategies for the December 11 Legislative Yuan (LY) election will be shaped in large part by Taiwan's complex election system, which combines direct elections with proportional representation. The structures of both the direct and proportional elections promote smaller parties and more extremist candidates, and facilitate factionalization within the two major parties. Furthermore, the multi-member districts used in the direct elections encourage parties and candidates to focus on tactics over issues. If the National Assembly confirms the constitutional revisions passed in August to reform the LY's structure, this will be the last election conducted under the system. End Summary.

The Constituency Seats

2. (U) Campaign season is underway for the 6th Legislative Yuan, which will start its three year term on February 1, 2005. All 225 seats in the LY are at stake in the elections scheduled for December 11. Of these, 176 will be directly elected from 29 geographical electoral districts, each corresponding to a city, a county, or a subdivision of a large city or county, and two ethnic districts reserved for plains and mountain aborigines, respectively. Based on population, each geographic constituency sends from one to thirteen representatives to the LY. The aboriginal districts are fixed at four members each. However, no matter how many members will represent each district, voters everywhere get only one vote to use on one candidate each. Those candidates receiving the most votes win the election. Any surplus votes cast for a particular candidate beyond the number required to get elected cannot be used to help another candidate from the same party who did not get enough votes.

The Single Non-Transferable Vote System

3. (U) This system, known as single non-transferable vote (SNTV) balloting, can and often does result in strange election outcomes. In the 2001 LY elections in Nantou County the Democratic Progressive Party (DPP) took 35.1% of the vote and won two seats. The KMT, despite doing slightly better with 37.5% of the vote won only one seat, the same number as the People First Party (PFP), which took 11.7% of the vote, or less than a third of the KMT's share. The reason for these anomalous results was the overwhelming popularity of one KMT candidate, former Kaohsiung mayor Wu Dun-yi. Wu took the lion's share of the KMT vote and left his colleague with too few votes to get elected. Under the SNTV system, candidates compete not only against candidates from the opposition parties, but also against others from their own party.

Nomination Strategy is Key

4. (U) Taiwan's SNTV election system requires that parties accurately predict how much support they will get in each district so that they can nominate the right number of candidates. A party that nominates too many candidates in a district risks spreading its votes too thinly and losing seats. Likewise, nominating too few candidates means forfeiting seats that might easily have been captured. Yet even a party that perfectly forecasts its support level in a district and nominates an appropriate number of candidates could have its plans spoiled if the disgruntled candidates it did not nominate decide to run anyway as independents, cannibalizing their former party's vote. Such so-called "mavericks" rarely get elected, but they often dramatically influence the outcome of tight contests.

Vote Distribution Tactics

5. (U) Nominating the right number of candidates is only half the battle. A successful campaign also depends on optimally sharing votes among the nominees to avoid the type of lopsided distribution that was so disastrous for the KMT in the 2001 Nantou election. In rural districts this is often accomplished by focusing the campaign on different candidates in different areas or having local factions and organizations

like Farmers Associations rally their respective members around specific candidates. These techniques are less effective in urban areas, where voters are harder to subdivide geographically and are more influenced by the media than by community leaders and social institutions. In response to this, some parties try to implement coordinated vote-distribution ("peipiao") schemes where loyal voters are asked to support a specific candidate based on things like the month of their birth or the last digit of their national ID number.

Reserved Seats for Women

16. (U) Complicating Taiwan's constituency LY elections further, a rule stipulates that at least one of every five seats in a district must go to a woman, even if male candidates receive more votes. This adds yet another layer of complexity to the tactical considerations that go into a campaign in districts with five or more seats at stake. Popular DPP incumbent Su Chih-fen's decision not to run for reelection in Yunlin County, for example, led some to speculate that part of her motivation was to leave the reserved female seat for her ally Yin Ling-ying of the Taiwan Solidarity Union (TSU).

The At-Large Seats

17. (U) The 49 remaining seats in the LY are considered "at large" and are filled according to proportional representation. Votes for candidates in all of the SNTV districts are tallied according to party, and parties that receive at least 5% of the total popular vote divide the at-large seats according to their share of the vote. Because eight of the at-large seats are reserved for the "overseas Chinese" community, parties actually nominate candidates for the proportional seats on two separate lists. Predictably, the definition of "overseas Chinese" is often stretched by candidates hoping to get nominated to that list. It is not unheard of for politicians to have family members in the US petition for their immigration shortly before an election so they can move overseas and be eligible for nomination. After winning election, they move back to Taiwan to serve their term. In an even more peculiar twist, an overseas candidate, if elected, must renounce any foreign citizenship in order to be seated. If they wish to run for reelection as an overseas candidate, they must then renew their overseas status, for example by obtaining a new immigrant visa. However, in the end, no party renominated an incumbent "overseas Chinese" legislator, obviating the need for a ruling by the Central Election Committee on what constitutes an "expatriate."

Ramifications : Tactics Over Issues

18. (U) Taiwan's complicated electoral system for the LY has a number of important political ramifications. At the party level, the peculiar requirements of the SNTV system cause parties to expend much of their focus and energy on voting mechanics. The main strategic concern is nominating the right number of candidates in each district, and the campaign is then dominated by tactical concerns like mobilizing voters and distributing them equally among candidates. Policies and issues tend to take a back seat. Issue-based campaigns, in particular, are to be avoided because they can easily lead to a situation where one candidate becomes too popular and thereby squeezes out other allied candidates.

Intra-Party Factionalism

19. (U) Furthermore, because candidates compete with members of their own party as much as (if not more than) with members of opposition parties, SNTV encourages intra-party factionalism and an emphasis on local connections and personalities. Those in danger of losing an election, particularly, tend to focus their attacks on members of their own party rather than the opposition, because it is far easier to steal votes from an ideologically similar opponent. A breakdown in discipline is especially likely if a party has overnominated, or there are too many mavericks. In such situations, candidates decide it is "every candidate for himself," peipiao schemes are abandoned, and a better disciplined party usually claims an extra seat or two.

10. (U) Factionalism rears its ugly head in the at-large elections as well. The at-large seats added in 1991, ostensibly to represent the mainland and overseas Chinese communities, were unofficially intended as a means of increasing party cohesion and bringing more professionals and minorities into the LY. In reality, positions on the nomination list for these "safe" seats are often treated as a currency for party leaders to buy the loyalty of various party factions.

Independents, Gangsters and Vote-Buying

¶11. (U) Additionally, the low election threshold in multi-member districts makes it possible for independents, single-issue candidates, gangster bosses, or anybody else with strong personal connections and deep pockets to win and hold onto an LY seat. In Taoyuan county's thirteen member district, for example, a reliable 4-5% of the vote is all that is necessary to take a seat. The margin of victory between the last-place winner and the first runner-up in the larger districts also tends to be extremely small (often just a few hundred votes) increasing the temptation for, and effectiveness of, vote-buying and voter intimidation.

Changes Likely for Next Election

¶12. (U) A proposed constitutional amendment passed by the LY in August (reftel) will halve the number of seats in the LY to 113, lengthen the term to four years (to match that of the Presidency), eliminate the "overseas Chinese" seats and replace SNTV with a single member district "first past the post" system. This will help address the many obvious flaws in the existing system and weed out extremist and nuisance legislators from the LY. However the amendment has not yet been approved by the National Assembly and any changes would not take effect until 2008. The current election will be held under the old rules and all the complications arising out of that system will be a prominent part of the campaign, as they have been in past elections.

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